

Universal Periodic Review (UPR) – Timor Leste
40th session (January/February 2022) – 3rd Cycle

Clean Water and Sanitation

Right to Education



A joint submission of:

VIVAT International
Edmund Rice International



with local Partners:



The Commission of Justice and Peace and Integrity of Creation (JPIC)
of SVD Timor Leste,
The Commission of Justice, and Peace and Integrity of Creation (JPIC)
of SSPS Timor Leste,
The Commission of Justice and Peace (JP) of Maliana Diocese,
VIVAT Indonesia

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VIVAT International is a non-governmental organization with ECOSOC Special Consultative Status, uniting the voices of its members around the world. Its members throughout the world run schools, hospitals, Justice and Peace offices among other works, and specialize in services for the poor.

Local Partners:

The Commission of Justice and Peace and integrity of Creation of SVD Timor Leste (JPIC SVD Timor Leste),¹

The Commission of Justice and Peace and Integrity of Creation of SSps Timor Leste (JPIC SSps Timor Leste),²

The Commission of Justice and Peace of Maliana Diocese (JP of Maliana Diocese),³

Vivat International-Indonesia⁴.

INTRODUCTION

1. This is a joint submission for the third cycle of the UPR of Timor Leste. It focuses on the right to clean water and sanitation and the right to education. Access to drinking water and sanitation is a fundamental human right, indivisibly bound to the right to health, and includes an obligation to protect water sources that impact not only agricultural activities but also on urban and rural drinking water supplies, urban and rural sanitation, sanitation in schools and hygiene promotion.

The enjoyment of the right to education is very relevant to the measurement of the living conditions of the Timorese population. Education is also the backbone of future generations. Due to colonialism, Timor Leste was deprived of access to good education and struggled for its linguistic and cultural identity, which is still reflected in the education system today. Lack of adequate formation of teachers as educators, lack of basic education and sanitation facilities,

¹ JPIC SVD Timor Leste is a Commission of the SVD Timor Leste Region, working in Justice, Peace and Integrity of Creation. Founded in 2011.

² JPIC of SSps Timor Leste is a Commission of the SSps Timor Leste Region, working in the area of Justice, Peace and Integrity of Creation. Founded in 2003

³ JP of Maliana Diocese is a Commission of the Diocese of Maliana, working in Justice, Peace and Reconciliation. Founded in 2008

⁴ Vivat International-Indonesia is the coordination of Vivat International in Indonesia.

lack of a proper study atmosphere in schools and indistinct educational policies hamper the growth of education in Timor Leste.

Clean Water and Sanitation

Recommendation of the second cycle

2. At the UPR working group session 26, in November 2016, the Government of Timor Leste accepted the recommendations to protect the sources of water to guarantee farming and agricultural activities⁵. However, these recommendations do not explicitly mention the fundamental need for clean water supply and sanitation.

Legal and Institutional Framework

3. Constitution of RDTL (Republic Democratic of Timor Leste) section 53. No.1. Consumers have the right to goods and services of good quality, to truthful information and protection of their health, safety and economic interests and reparation for damages.
4. Timor Leste Strategic Development Plan 2011 – 2030: Water and Sanitation.⁶
5. Decree-Law: Licensing regulations of sale and supply and quality of drinking water.⁷
6. The government of Timor Leste, as part of the High-Level Political Forum (HLPF), committed itself to achieve the Sustainable Development Goals, including goal number 6 on clean water and sanitation.⁸
7. Program of VIII Government Plan of Timor Leste No. 3.3 Clean water and basic sanitation.⁹

Implementation of the right to clean water and sanitation in Timor Leste

8. The Government of Timor Leste recognizes that access to safe water, drinking water and to a sanitation system¹⁰ are important elements in the economic and social development of Timor Leste and acknowledges that they play a vital role in the health and wellbeing of the people. To achieve this fundamental right the Government committed itself to the following by 2015: 75% of rural population will have access to safe, reliable, and clean water; improved sanitation facilities will be available in 60% of districts in urban areas, regular maintenance of the Dili drainage system will result in a cleaner city, reduce consequences of flooding, and protect the

⁵ Timor Leste's responses to recommendations of the second cycle of UPR June 2016, A – 89.145.

⁶ Timor Leste Strategic Development Plan 2011 – 2030, part 3 point 2.

⁷ Decree-Law No. 5/2009, January 15, 2009.

⁸ Report on the Implementation of the Sustainable Development Goals: From Ashes to Reconciliation, Reconstruction and Sustainable Development, Voluntary National Review of Timor Leste 2019.

⁹ Programs of the eighth constitutional Government, Homepage Government Timor Leste, April 2021.

¹⁰ Timor Leste Strategic Development Plan 2011 – 2030, P. 77

environment in the city. All public schools, by 2020, will be connected to clean piped water; the infrastructure for collecting and disposal of sewage in Dili will be suitable, well operated and maintained; drainage will be improved in all districts.¹¹ The report of the Government of Timor Leste on the implementation of the Sustainable Development Goals noted that in 2015 only 1.8 % people had access to safe drinking water, 54.8% to basic water facilities, 12.5% to limited access to drinking water, 10.9% to unimproved sources and 18.7% were still using surface water. For sanitation: 19.1% safely managed, 8.4% basic, 19.7% limited, 27.3% unimproved and 24.4% open defecation. It was mentioned that there is a lack of reliable data regarding water quality because of nonexistence of governmental structures for testing the quality of water.¹²

In Dili, the capital of Timor Leste, the supply and distribution of clean water is still a problem. Every year in summertime many people have no access to clean water and have to collect it from a distance to their households. According to local inhabitants from Becora village, 4800 families have no access to clean water because of mismanagement of the water supply and its distribution. A survey conducted by our partners, showed that families in Dili, who have their own well, use water that is not tested¹³.

9. Inhabitants of many villages in rural and remote areas do not have access to clean water in their households. They have to walk up to 3 kms to collect water from springs and/or from the river where the water is contaminated by mud and animal feces, according to inhabitants from Aileu.¹⁴ In Atabae the center of Atabae sub district, some families have their own well, others have access to drinking water from various sources, such as: surface water.¹⁵
10. Many of the schools, especially the public schools in Dili and in rural areas, have no access to clean water. Some schools have pipe installation but no water for sanitation, affecting the level of hygiene. According to teachers at Public Senior High School of FINANTIL in Dili the water has been cut off for many years, resulting in no working toilets and a poor level of hygiene.¹⁶

¹¹ Ibid. P. 84

¹² Report on the Implementation of the Sustainable Development Goals: From Ashes to Reconciliation, Reconstruction and Sustainable Development, Voluntary National Review of Timor Leste 2019. P. 80 - 84

¹³ JPIC of SSpS Timor Leste Region.

¹⁴ Ibid.

¹⁵ JPIC of SVD Tior Leste Region and JP of Maliana Diocese.

¹⁶ JPIC of SSpS of Timor Leste Region.

Recommendations for the Government of Timor Leste:

- **To eradicate open defecation and ensure that all people in urban and rural areas have access to clean water, drinking water and sanitation by providing quality infrastructure.**
- **To ensure that all public schools in all stages all over Timor Leste have a stable and permanent access to clean water, drinking water and good sanitation facilities.**
- **To ensure investments to build and to maintain provision of clean water and drinking water and sanitation system in every region of the country.**
- **To increase professional training and institutional capacity building for the development and management system of water and sanitation.**
- **To invest in water source protection program including regular testing of water to guarantee sustainable and healthy water supply for the people.**
- **To ensure equal quality water distribution to all communities across the State, thus ensuring access to clean water.**
- **To have effective Territory Ordering Plans that will promote and facilitate the development of basic infrastructure projects such as collecting water, providing and distributing clean water while continuing to maintain existing infrastructure.**
- **To ensure sufficient annual budget allocation for water supply and sanitation facilities to achieve the SDG target indicators.**

Right to education

Recommendations of the Second Cycle on Quality Education

Recommendations to the Right to Education in general were made by many UN member nations to Timor Leste in November 2016. These included Spain¹⁷, Brazil¹⁸, New Zealand¹⁹, Republic of Korea²⁰, Slovenia²¹, Singapore²², Thailand²³, Australia²⁴, Brunei Darussalam²⁵, Haiti²⁶, Angola²⁷, Laos People's Democratic Republic²⁸, Libya²⁹, Norway³⁰, Malaysia³¹, and Spain³².

Quality of education (SDG 4) and the governmental proposals/plans

1. The first point of implementation of SDG 4 is to ensure effective learning in which the Government is responsible for quality education³³, inclusive education and promoting a culture of respect for diversity³⁴. It is also its responsibility to create new programs that stimulate cultural, artistic, and sporting skills³⁵, ensure that all students and teachers have access to relevant and quality textbooks and school materials, while promoting the use of information and communication technologies (ICT)³⁶. Another way of supporting the teaching-learning process³⁷ is to create a series of television programmes and videos. The State needs to build at least 300 classrooms through the program of construction and rehabilitation of new schools and classrooms of secondary education³⁸ and ensure that 100% of public high schools are fully equipped and ready to serve as an appropriate learning venue, with laboratory and library facilities respecting the environment³⁹.

¹⁷UPR 2016: E51 Right to education – General recommended by **Spain**-89.131: Source of position: A/HRC/34/11/Add.1 - Para. 5

¹⁸Ibid.**Brazil** -89.98: A/HRC/34/11/Add.1 - Para. 5

¹⁹Ibid.**New Zealand**- 89.148: A/HRC/34/11/Add.1 - Para. 5

²⁰Ibid.**Republic of Korea**-89.133: A/HRC/34/11/Add.1 - Para. 5

²¹Ibid.**Slovenia** -89.149: A/HRC/34/11/Add.1 - Para. 5

²²Ibid.**Singapore**-89.130: A/HRC/34/11/Add.1 - Para. 5

²³Ibid.**Thailand**-89.140: A/HRC/34/11/Add.1 - Para. 5

²⁴Ibid.**Australia**-89.141: A/HRC/34/11/Add.1 - Para. 5

²⁵Ibid.**Brunei Darussalam**-89.152: A/HRC/34/11/Add.1 - Para. 5

²⁶Ibid.**Haiti**- 89.59: A/HRC/34/11/Add.1 - Para. 5

²⁷Ibid.**Angola**- 89.144: A/HRC/34/11/Add.1 - Para. 5

²⁸Ibid.**Lao People's Democratic Republic** - 89.145: A/HRC/34/11/Add.1 - Para. 5

²⁹Ibid.**Libya**-89.146: A/HRC/34/11/Add.1 - Para. 5

³⁰Ibid.**Norway**-89.147: A/HRC/34/11/Add.1 - Para. 5

³¹Ibid.**Malaysia**-89.151: A/HRC/34/11/Add.1 - Para. 5

³²Ibid.**Spain**-89.72: A/HRC/34/11/Add.1 - Para. 5

³³ National Law No.14/2008: Sec. I. Art.1.4

³⁴ 8th Government National Educational Plan no:2.1.x

³⁵ Ibid.2.1.2

³⁶ Ibid.2.1.2

³⁷ Ibid.NP:2.1.2

³⁸ Ibid.2.1.3

³⁹ Ibid.2.1.3

2. The Government of Timor Leste seeks to increase the availability of scholarships by strengthening coordination with the *Bolsa da Mãe* program⁴⁰, providing access to scholarships for students with special educational needs⁴¹ and continuing to support the scholarship program through the Human Capital Development Fund (FDCH) with specific social programs⁴². The Government needs to expand the opportunity of scholarships for the special talented students, to facilitate means of transportation for those who are coming from distant places for schooling and give access to students who are especially skillful in sport, art, and music and create opportunities for a decent job for them.

3. To guarantee the quality of education, the Government has to make all necessary efforts to ensure a quality program for teachers and educators⁴³. The Government plans also to strengthen the human resources system, in education and teaching establishments, based on merit, professionalism and competence⁴⁴. The formation of teachers, according to relevant areas of specialization⁴⁵ is one of the greatest concerns to ensure that 100% of General Secondary School Teachers have the minimum qualification required by law⁴⁶. The State needs to modernize and ensure greater relevance of continuing vocational training efforts by strengthening more effective measures such as mentoring and monitoring⁴⁷. According to grassroots' research the total number of students at the 25 schools surveyed was 11963, whereas number of teachers was 564, according to which each teacher gets only 21 students to teach. The number of permanent teachers was 310, the number of contract teachers was 156 and volunteers 100. The volunteer teachers make up 18% of the total staff, which is a high percentage. The Government needs to resolve this issue and create for them fair working conditions⁴⁸.

SDG4 targets and Grassroots Realities

4. The first outcome target for SDG 4 speaks of universal primary and secondary education, which is guaranteed by the national laws of education of Timor Leste. The education program⁴⁹, guarantees to all citizens access to compulsory, and free primary education of decent quality⁵⁰. The Government has set a target for primary education to reach between 85%

⁴⁰ <https://www.usp2030.org/gimi/ShowWiki.action?id=1225>

⁴¹ Ibid.2.1.5

⁴² Ibid.2.1.7

⁴³ National Law No.14/2008: Sec.I.Art.1.4

⁴⁴ 8th Government National Educational Plan no:2.1.6. xiii

⁴⁵ Ibid.2.1.6. xv

⁴⁶ Ibid.2.1.3.xii

⁴⁷ Ibid.2.1.vii

⁴⁸ From the grassroots research on quality education done by UPR working group in TLS

⁴⁹ National Law No. 14/2008: Article 2:1

⁵⁰ 8th Government National Educational Plan no: 2:1-iii.

to 95% of the population⁵¹. However, grassroots research which was conducted in five districts (Suai, Bobonaro, Dili, Viqueque and Oecusse) and included 25 schools, public and private, found that:

- Library facilities are available in only 11 out of 25 schools. 13 schools do not have any, and 1 library does not fulfil the basic standards.
 - First aid treatment facilities are present in only 3 schools with one having limited facilities and no facilities present in 21 schools.
 - The mid-day meal is offered in 5 out of 25 schools, 12 do not have any and in 8 schools meals are unobtainable.
 - Sufficient classroom facilities are present in 16 schools whereas 9 schools have insufficient space.
 - Classroom furniture such as desks and benches are present in 9 schools whereas 10 schools have insufficient facilities. In 4 schools the furniture is damaged, and 2 schools did not respond to the question.
 - Access to drinking water is available in 16 schools, whereas 7 do not have access at all, and in 2 schools the facilities are out of order.
 - Health and sanitation facilities such as proper bathrooms and toilets are present in 17 schools whereas in 2 schools there are no facilities at all, and in 6 schools the facilities are out of order⁵².
5. The second target raises the issue of pre-primary education, which implies the full participation of local communities⁵³ to inculcate habits of hygiene and the protection of personal and group health⁵⁴. It is also stressed that pre-school education facilities should be located as close as possible to children's home⁵⁵, with special attention to rural communities⁵⁶. However, only a handful of pre-primary education centers cater to the needs of children in rural areas. Most of these children do not go through these learning centers, but directly enroll in primary schools⁵⁷.
6. The third target offers equal opportunity to technical/vocational and higher education for both sexes⁵⁸. The Government policy is to continue to offer two options: general secondary education, and/or technical/vocational education⁵⁹, by introducing information technology and multimedia facilities to ensure quality education of teachers⁶⁰, and increase the percentage of

⁵¹ Ibid.2.1.2

⁵² From the grassroots research on quality education done by UPR working group in TLS.

⁵³ National Law No.14/2008: Sec.II.Art.4.4

⁵⁴ Ibid.Sec.I.Art.9:1. g

⁵⁵ 8th Government National Educational Plan no: 2.1.ii

⁵⁶ Ibid.2.1.1

⁵⁷ From the grassroots research on quality education done by UPR working group in TLS

⁵⁸ National Law No.14/2008: Sec.II.Art.5. c.

⁵⁹ 8th Government National Educational Plan no: 2.1.iv

⁶⁰ Ibid.2.1.vii

women in teaching, management, and leadership positions in educational institutions by 15%⁶¹. Regrettably, there are inadequate government initiatives to create more openings in technical/vocational education.

7. The fourth target, about youth and adults achieving relevant skills to get decent work, reflects several dimensions: professional formation, cultural, ethical, and seeks to strengthen the social sense of belonging⁶². Through the National Education Plan (NEP) the Government wants to reach up to 85% of the gross enrollment rate, by opening several necessary working places in new and existing schools⁶³. There is also a need to review the National Education Plan to promote better adaptation to regional and international standards of education⁶⁴ and ensure that teachers have access to all necessary teaching aids to implement objectives from the NEP⁶⁵ also in higher education⁶⁶. Teachers/trainers need to have access to high quality formation programs to teach the youth self-confidence and how to be resourceful in the environment where they live.
8. The fifth target speaks of gender equality and inclusion which the State has a special responsibility to promote to ensure the democratization of instruction, guaranteeing the right to a fair and effective equality of opportunity⁶⁷. This will strengthen the implementation of curriculum content in training for civic values, gender equality and respect for diversity⁶⁸, increase the percentage of women in teaching, in management and leadership positions in education to at least 15%⁶⁹. It's important to ensure a second opportunity for schooling to those who were unable to obtain it at the proper age⁷⁰ and respect the principle of freedom to learn and to teach⁷¹ by opening vocational schools in lower secondary education. To eliminate illiteracy, literal and functional, the State needs to address special contextual issues such as disability, lack of education and child labor caused by poverty, and girls' schooling hindered by a culture of early marriage⁷².
9. The sixth target speaks of Universal Youth Literacy which the state is yet to include in its national law and National Educational Plan. In its effort to eliminate illiteracy, literal and functional as its fundamental objective of education⁷³ the State should establish non-formal

⁶¹ Ibid. 2.1.5

⁶² National Law No.14/2008: Sec.II.Art.5. b

⁶³ 8th Government National Educational Plan no:2.1.3

⁶⁴ Ibid.2.1.3

⁶⁵ Ibid.2.1.3

⁶⁶ Ibid.2.1.3

⁶⁷ National Law No. 14/2008: Sec. I. Art.2.4

⁶⁸ 8th Government National Educational Plan No. 2.1.2

⁶⁹ Ibid. 2.1.5

⁷⁰ National Law No. 14/2008: Sec. II Art. 5 J

⁷¹ Ibid. Sec. I. Art. 2.5

⁷² Ibid. Sec. IV. Art. 33.3. a

⁷³ National Law No.14/2008: Sec. IV.Art.33.3. a

schools for youth and adults both men and women. There is a need to provide creative methods/approaches in literacy programs for uneducated, school dropouts, juveniles in detention centers as well as professional/skillful trainers or educators to run literacy programmes.

10. To achieve the sixth target, education for sustainable development and global citizenship the State guarantees quality education by taking responsibility to ensure the availability of teachers with the necessary training and other human resources, as well as the necessary infrastructure and financial means⁷⁴. For students to avail of an effective formative action throughout life the State ensures the development of personality, equality of opportunities and the overcoming of economic, social, and cultural inequalities and social progress⁷⁵. The State needs to modernize and ensure greater relevance of continuing vocational training by the use of information technology, multimedia materials and distance learning to ensure quality teachers⁷⁶. The State needs to promote a democratic and pluralist spirit with citizens capable of judging, with a critical and creative spirit and having access to education⁷⁷ and its practice⁷⁸. It also plans the insertion of inclusive education, promoting a culture of respect for diversity⁷⁹. The educational policy is aimed at:

- Orienting the system of education and teaching to respond to the needs of Timorese society⁸⁰, including the fundamental values of national identity, of Timorese history and culture⁸¹;
- Consolidating the Tetum language, to guarantee the standardization of the language⁸²,
- Establishing links with the Family Health Program and other relevant programs including those with psychological problems, trauma, and other health problems⁸³,
- Introducing a Student Loans Fund, with the aim of promoting greater equity and gender equality in access to higher education⁸⁴.

⁷⁴Ibid.Sec.I.Art.1.4

⁷⁵Ibid.Sec.I.Art.2.2. a-c

⁸th Government National Educational Plan No: 2.1. vii

⁷⁷National Law No.14/2008: Sec. I. Art.2.3. a-b

⁷⁸Ibid. Sec.I.Art.2.5

⁷⁹8th Government National Educational Plan no:2.1.x

⁸⁰National Law No.14/2008: Sec. II. Art. 4.3

⁸¹8th Government National Educational Plan no: 2.1.iii

⁸²Ibid.2.1. xi

⁸³Ibid.2.1.5

⁸⁴Ibid.2.1.7

Recommendations to the Government of Timor Leste:

- **To ensure that primary and secondary schools, in urban and rural areas have access to all necessities such as classrooms, teaching, and learning materials for each student, clean water and sanitations, proper boundaries, mid-day meals, and qualified teachers.**
- **To ensure that all children, especially in rural areas, have access to pre-primary education with basic facilities and qualified teachers near to their village.**
- **To provide school transport for children and students under special scholarship programs.**
- **To ensure students have access to technical and vocational education at secondary school to an international standard.**
- **To establish training centers for both academic and vocational schools staffed with qualified trainers and educators at the national level.**
- **To establish language research centers for Tetum at the national level.**
- **To establish institutes for sports, art, and music at the national level.**
- **To ensure annual career guidance programs in all level secondary schools.**
- **To ensure non-violent education, provide among the teaching staff psychologists and/or conflict management specialists to deal with cases of traumatic experiences among students.**
- **To ensure education and eradicate illiteracy, create literacy programs among youth and adults including those in detention centers.**
- **Increase budget allocation for classrooms and library facilities.**
- **To establish vocational training centers for skillful and technically astute students.**
- **Promote qualified teachers with various incentives such as further studies and decent and fair salaries.**